

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA
7

8 PABLO P. PINA,

No. C 07-4989 SI (pr)

9 Plaintiff,

ORDER

10 v.

11 JAMES TILTON, Director/Secretary;
12 et al.,


13 Defendants.
14 _____/

15 Plaintiff has filed a motion for an order allowing him "to conduct his investigations and
16 interviews as well as communicate with potential witnesses as any court appointed attorney as
17 long as it does not [jeopardize] the prison's security." Motion, p. 1. Absent unusual and
18 compelling circumstances not present here, federal courts generally are discouraged from
19 interfering with day-to-day prison administration decisions. See Turner v. Safley, 482 U.S. 78,
20 84-86 (1987); Wright v. Rushen, 642 F.2d 1129, 1132 (9th Cir. 1981) (courts should avoid
21 enmeshing themselves in minutiae of prison operations in name of constitution); see generally
22 Lewis v. Casey, 518 U.S. 343, 354 (1996) (constitutional right of access to the courts is limited
23 to the initiation of a court action; the state is not required to enable prisoners to litigate
24 effectively once in court). An order giving plaintiff special communication privileges would
25 be particularly intrusive into prison operations because he is housed in the Pelican Bay SHU,
26 where prison officials by design greatly restrict inmates' privileges and communications
27 opportunities. The court declines to compel prison officials to deviate from regularly imposed
28 restrictions on inmate communications in order to allow plaintiff special privileges. Finally, the

1 court notes that plaintiff's purported need to communicate with C/O McCovey – the one person
2 he is particularly interested in communicating with – no longer exists for purposes of prosecuting
3 this action because the claim regarding McCovey has been dismissed. See Order of Service and
4 Partial Dismissal, p. 8. For the foregoing reasons, plaintiff's motion is DENIED. (Docket # 21.)

5
6 IT IS SO ORDERED.

7 Dated: November 13, 2008


SUSAN ILLSTON
United States District Judge